

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

SENTRELL LEVERT COPELAND, #1416753,

Petitioner,

v.

ACTION NO. 2:17cv93

HAROLD W. CLARKE,
Director, Virginia Department of Corrections,

Respondent.

FINAL ORDER

Petitioner Sentrell Levert Copeland, a Virginia inmate, filed a *pro se* petition pursuant to 28 U.S.C. § 2254 alleging that his federal rights were violated resulting in an involuntary plea of guilty to malicious wounding. ECF No. 1. On October 3, 2011, Copeland was sentenced in the Circuit Court for the City of Norfolk to serve ten years for the malicious wounding conviction and three years for the resulting probation violation.

The petition was referred to a United States Magistrate Judge for a report and recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Local Civil Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia. The Magistrate Judge's Report and Recommendation (ECF No. 23) proposes that Respondent's Motion to Dismiss (ECF No. 15) be granted, and that the petition for a writ of habeas corpus be denied and dismissed with prejudice. The Court has received no objections to the Report and Recommendation, and the time for filing objections has expired.

The Court accepts the findings and recommendations set forth in the Report and Recommendation filed July 3, 2018. Respondent's Motion to Dismiss (ECF No. 15) is GRANTED, and the petition for a writ of habeas corpus is denied and dismissed with prejudice. It is ORDERED that Judgment be entered in favor of Respondent.

Petitioner may appeal from the Judgment entered pursuant to this Final Order by filing a Notice of Appeal with the Clerk of this Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within thirty days from the date of entry of such Judgment.

Petitioner has failed to demonstrate "a substantial showing of the denial of a constitutional right," and the Court declines to issue any certificate of appealability pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure. *See Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003).

The Clerk shall mail a copy of this Final Order to Petitioner and to counsel of record for Respondent.



Arenda L. Wright Allen
United States District Judge

Norfolk, Virginia

Sept 28th 2018